

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ADVANCED SILICON
TECHNOLOGIES LLC,

Plaintiff,

v.

NXP SEMICONDUCTORS N.V.,
NXP B.V., and
NXP USA, INC.,

Defendants.

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Case No. 6:22-CV-00466-ADA-DTG

**JOINT NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF
PLAINTIFF’S INDIRECT AND WILLFUL INFRINGEMENT ALLEGATIONS**

Plaintiff Advanced Silicon Technologies LLC (“Plaintiff”) and Defendants NXP Semiconductors N.V., NXP B.V., and NXP USA, Inc. (collectively, “Defendants”) hereby provide notice under Section VII of the Court’s Standing Order Governing Proceedings (OGP) 4.1—Patent Cases (dated April 14, 2022), of the following agreement:

Plaintiff voluntarily dismisses, without prejudice, its allegations against Defendants concerning indirect infringement (including inducement and contributory infringement) and the pre-suit portions of its allegations against Defendants concerning willful infringement of United States Patent Nos. 7,804,435 and 8,933,945;

Plaintiff may re-plead the dismissed allegations with specificity, if supported by a good faith basis under Rule 11, within three months after fact discovery opens, and the parties agree to permit fact discovery on indirect and willful infringement during those three months; and

Defendants do not waive their right to subsequently contest the sufficiency of post-suit allegations of willfulness, and Plaintiff does not dispute that Defendants may do so, for example, should the Plaintiff file an amended complaint.

Dated: August 1, 2022

Respectfully submitted,

By: /s/ Patrick A. Fitch

By: /s/ Richard S. Zembek

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Counsel for Plaintiff Advanced Silicon Technologies LLC

Counsel for Defendants NXP Semiconductors N.V.; NXP B.V.; and NXP USA, Inc.

CERTIFICATE OF CONFERENCE

I hereby certify that the parties conferred via email on July 29, 2022, and that Plaintiff and Defendants agree to request the relief sought herein.

/s/ Catherine Garza

Catherine Garza

CERTIFICATE OF SERVICE

I certify that on August 1, 2022, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system.

/s/ Catherine Garza

Catherine Garza